

Juvenile Offender Profile Study

DECEMBER 2006



Conducted by:

The Justice Education Center, Inc.

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Dear Reader,

Since its establishment in 1976, The Justice Education Center has conducted extensive offender profile, court disposition and longitudinal studies on the juvenile and adult offender populations in Connecticut.

In 2005, leaders on the Connecticut General Assembly requested The Justice Education Center (TJEC) to perform a policy analysis of the State's juvenile offender population to inform program and policy analysis.

The Center developed a methodology to conduct a detailed analysis of the differences and similarities of Connecticut juveniles who are currently incarcerated, in the community, or are on probation or parole — obtaining data for the approximately 14,000 juvenile offenders who were referred to Superior Court, Juvenile Matters in 2004. Of those 14,000, 2,191 juveniles were identified as the most serious juvenile offenders.

While analysis can continue in the coming months on the larger juvenile population, this study closely examines only the 2,191 juveniles in Connecticut who were referred to juvenile court in 2004 and who received the most serious dispositions — juveniles who consume a significant portion of the financial and human resources of the juvenile justice system.

This study could not have been possible without the full cooperation and support of the Commissioner of the Department of Children and Families, Darlene Dunbar, the Commissioner of Correction, Theresa Lantz, the Chief Court Administrator, the Honorable William Lavery, and their staffs.

The Center wishes to extend its deepest gratitude to Eleanor Lyon, Ph.D., Director, Institute for Violence Prevention and Reduction, University of Connecticut School of Social Work, for directing the Juvenile Offender Profile Study. The Center also gratefully acknowledges the efforts of Ivan Kuzyk, research consultant, and Janet Shute, The Center's writer.

We hope that the information contained within this report will help inform the planning process as the General Assembly moves forward on a range of juvenile justice issues in the coming months.

Sincerely,

Sherry Haller
Executive Director
The Justice Education Center, Inc.

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I. Background

CONTEXT

In 2005, leaders in the Connecticut General Assembly requested The Justice Education Center (TJEC)^[1] to perform a profile analysis of the State's juvenile offender population to inform program and policy analysis.

The Center obtained data for the approximately 14,000 juvenile offenders who were referred to Superior Court, Juvenile Matters in 2004.^[2] Of those 14,000, 2,191 juveniles were identified as the primary profile for this study, for four reasons. They:

- were referred to court in calendar year 2004 (which allows meaningful analysis of cases as they move through the court process)
- were handled judicially (vs. non-judicially, as 41% of all juveniles referred in 2004 were handled)
- had cases disposed in calendar year 2004 through September of 2005 (which allowed disposition tracking for 98% of the 2004 court cases)^[3]
- had as their disposition a sentence to probation, commitment to the Department of Children and Families (including residential placement or the Connecticut Juvenile Training School), or transfer to Superior Court, Criminal Matters (where adult criminal cases are heard).^[4]

While data analysis will continue, if funded, on the larger juvenile population, this profile closely examines these 2,191 juveniles in Connecticut who were referred to juvenile court in 2004 and who received the most serious dispositions — those who consume a significant portion of both the financial and human resources of the juvenile justice system.

¹ Since 1976, The Justice Education Center conducts research and evaluations, staffs policy groups, develops innovative offender, victim and public education programs, and provides technical assistance to policymakers and practitioners in Connecticut on critical juvenile and criminal justice issues.

² Superior Court, Juvenile Matters will hereafter be referred to as "juvenile court" in this report.

³ All analyses in this report are based on the most serious disposition for each juvenile referred in calendar year 2004.

⁴ Superior Court, Criminal Matters will hereafter be referred to as "adult court" in this report.

DISPOSITIONAL CATEGORIES

The most serious dispositions of Connecticut's juvenile population referred in 2004 break down as follows⁵:

- **Probation (1,911 juveniles)**

This is the largest dispositional category. It includes only those juveniles who were referred in 2004, convicted, and sentenced to probation. There are many other children whose cases have been handled non-judicially who may be supervised by a probation officer, but because they were not sentenced to probation, they are not a part of this profile study.

- **Department of Children and Families (DCF) commitment (43 juveniles)**

These juveniles were disposed simply with a commitment to DCF; further intervention was left to DCF to determine. Almost half of this population had a FWSN⁶ charge as their most serious charge.

- **Residential placement (125 juveniles)**

These juveniles were committed to DCF and sentenced to DCF supervision in residential settings in communities statewide.

- **Connecticut Juvenile Training School (37 juveniles)**

Only the 37 juveniles committed to DCF and sentenced to CJTS as a result of a 2004 referral are a part of this study.⁷ While the Connecticut Juvenile Training School (CJTS) is the State's most restrictive facility, its population also includes juveniles who are sent there on violations of probation or parole.

- **Adult transfer (75 juveniles)**

These juveniles were transferred to adult court: 70 transferred because of statutory mandate; five transferred in an exercise of the court's discretion.

Connecticut is one of just three states where the age of jurisdiction for a juvenile ends at 16. In Connecticut, a juvenile is any person under the age of 16, or over the age of 16 but who violated the law before turning 16. Cases involving arrests of juveniles who are 16 and older are heard in adult court. Legislation has recently been passed to review this juvenile age policy.

⁵ Dispositions are often influenced by the availability of local resources and attendant client and family input concerning residential options. For example, some juveniles request being sentenced to CJTS immediately rather than waiting for space at a residential option. For further explanation, see "Delinquency commitment" in Section VI: Glossary of Terms.

⁶ A Family with Service Needs (FWSN) is a family which includes a child who a) runs away without just cause; b) is beyond the control of his/her parents or guardian; c) has engaged in indecent or immoral conduct; and/or d) is truant or habitually truant or continuously and overtly defiant of school rules and regulations. These children are engaged in behaviors that would not be considered criminal if they were committed by adults. Under current law, violating a court order issued after a Family with Service Needs adjudication is a delinquent act, subjecting a child to detention and possible commitment as a delinquent. Legislation was passed in 2006 that decriminalized a violation of a FWSN order. Beginning in October, 2007, violations of Family with Service Needs court orders cannot be prosecuted as delinquency offenses. This means that FWSN violators cannot be held in detention and boys no longer face commitment to CJTS. The Judicial Branch is planning alternative sanctions for FWSN violations, which could include a secure facility exclusively for FWSN violators.

⁷ There was a moratorium on CJTS admissions during the summer of 2004, which may account for these low numbers. Of the 37 judicial commitments to CJTS as a result of a 2004 referral, 36 were male and one was female. DCF referred the one female to another facility.

II. Data Sources

Data sources for this report

Data for this study have been obtained from the Judicial Branch, the Department of Children and Families (DCF), and the Department of Correction (DOC). These sources have provided information on the total volume and types of cases referred to the Superior Court, Juvenile Matters in 2004, characteristics of the cases that have resulted in convictions, and specified dispositions. The data sources include:

- **Judicial Information System (JIS)**

Data on all of the approximately 14,000 juvenile cases that were referred to Juvenile Matters in 2004, including those 2,191 that were subsequently disposed in calendar year 2004 through September 2005 with a sentence of probation, a commitment to DCF, or a transfer to adult court. Data included prior court case and offense history and demographic information, including age, gender, race/ethnicity, town residence and court location. (See Section IV: Tables 1 – 10)

- **Juvenile Assessment Generic (JAG)**

A 47-item assessment instrument administered by juvenile probation officers prior to sentencing, and available electronically for research purposes only for nearly all such juveniles. The JAG includes items in each of the following areas: criminal history, substance abuse, risk-taking, family distress (including experience of abuse), peer conformity, and personal values. The JAG was developed for the Judicial Branch Court Support Services Division based on literature that strongly suggests that these are the factors that most accurately assess the likelihood of recidivism. It is important to note that this is self-reported information. The JAG is administered by a non-clinician, and is not used in determining dispositions. It is used only to determine levels of supervision and referrals to clinical or social services. However, for purposes of this report, the JAG results inform the profile of the juvenile offender as it relates to the analysis of client risks/needs and dispositions by gender, race/ethnicity and court location. (See Section IV: Tables 11 – 15)

- **Massachusetts Youth Screening Instrument (MAYSI-2)**

A nationally recognized screening tool administered when juveniles are admitted to detention and upon adjudication when they are sentenced to periods of probation. It includes items that comprise the following seven scales: alcohol/drug use, angry-irritable, depressed/anxious, somatic complaints, suicidal ideation, thought distance, and traumatic experiences. Data from the MAYSI-2 further informs the risks and needs profile of the juveniles, as well as priority programming needs. (See Section IV: Table 16)

- **Department of Correction**

Data about males under the age of 18 who had been sentenced to Manson Youth Institution (MYI) between January 1, 2004 and August 30, 2005. All males who are under the age of 18 at the time they are sentenced to incarceration by adult court are sent to the Manson Youth Institution. The electronic data file included information for 333 males about charges associated with all sentences, race/ethnicity, age at first sentenced admission, age at latest sentenced admission, number of sentenced admissions, sentence length, and available risks and needs assessments. (See Section IV: Table 17)

- **Department of Children and Families**

Data were obtained electronically about substantiated child abuse or neglect for 164 of the 205 juveniles whose dispositions involved a commitment to the Department of Children and Families. The file included information about the type of abuse or neglect for every confirmed instance, as well as the juvenile's age at the time.

- **Judicial Branch: Court Support Services Division**

Data were obtained manually through CSSD staff file review for 91 of the 94 juveniles who had a Violation of Probation as their most serious charge. The data indicated whether the violation was a technical violation, a new arrest, or a combination of technical violation and new charge.

III. Key Questions and Research Design

Key Questions

The key questions that framed this analysis were:

- What are the similarities and/or differences in the profiles of juveniles with cases in 2004, examining numbers and types of court cases, numbers and types of offenses, race/ethnicity, and gender?
- What are the primary risks and needs identified for juveniles in each of the groups with the most serious dispositions?
- How do risks and needs differ, if at all, by gender and race/ethnicity?
- What factors are associated with the different dispositions?

Research Design

The research was designed to analyze juveniles from the point of their referral to court, enabling a thorough study of the juveniles as they move through the system. All analyses are based on the most serious disposition for each juvenile who had a court case in juvenile court in 2004 and who had his or her case disposed in calendar year 2004 through September, 2005.

Findings from two previous studies helped shape the design of this study:

- **The Tjaden Study: Comparison of juveniles in CJTS committed to DCF with those in residential placements (2005)^[8]**

The Tjaden study compared a sample of 70 juveniles in the Connecticut Juvenile Training School with a sample of 70 juveniles with DCF community direct placements during a single week in May, 2005. This investigation found that the juveniles in these two samples had “similarly high” levels of risk associated with criminal history. The Tjaden study was conducted as a pilot for the new risks and needs instrument used by DCF and was not intended as a comprehensive comparison of juveniles committed to DCF.

- **The Juvenile Offender Profile Study: An analysis of juvenile cases under the jurisdiction of Connecticut’s Judicial Branch (1996)^[9]**

The 1996 study reviewed the characteristics and dispositions of 8,946 juveniles referred to juvenile court for delinquent behavior whose cases were disposed in 1994. This study determined that, although the number of delinquency referrals to juvenile court had been increasing, as had the seriousness of charges, resources had not kept pace. The two groups of the 1996 and this 2004 study cannot be compared appropriately. The 1996 profile focused on dispositions, looking at juveniles whose cases were disposed in 1994. The present study draws from juveniles whose cases were referred in 2004. This current study’s different focus allows more flexibility in tracking and analyzing aspects of court decision-making.

⁸ Claus Tjaden, “An Assessment of Risks and Needs for Juveniles Committed and Placed with the Connecticut Department of Children and Families Bureau of Juvenile Justice.” June, 2005.

⁹ “Juvenile Offender Profile Study.” Prepared by The Justice Education Center, Inc. for the Connecticut Judicial Branch. October, 1996.

IV. Findings

The key findings outlined below are organized by responses to:

- 1) the questions raised by the research design, supplemented by highlights that encourage further exploration and discussion; and
- 2) findings relevant to ongoing program development.

KEY FINDINGS

What are the similarities and/or differences in the profiles of juveniles with cases in 2004, examining numbers and types of court cases, numbers and types of offenses, race/ethnicity, and gender?

The more serious the disposition, the more likely it was that the juvenile was:

- ***older***
- ***African-American or Hispanic/Latino***
- ***male***
- ***younger at the time of first court case***
- ***had more prior cases (but not necessarily felonies)***
- ***had more charges***
- ***had more felony charges***
- ***had his/her case heard in the court in one of the three largest cities (Bridgeport, Hartford and New Haven).***

There were no consistent patterns regarding the risks and needs of juvenile offenders by gender and race/ethnicity when compared within dispositions.

To provide a context, it should be understood that the five dispositions included in the profile can be understood as a continuum of sanctioning intensity: probation is least intense; DCF commitment reflects a need for more intervention and control, but also a need for further assessment; and residential placement is more restrictive, but affords more flexibility than confinement in CJTS. Transfers to adult court can be considered most serious because juveniles are being treated as adults, and the law mandates such treatment because of the seriousness of the charges; however, once in adult court, the disposition may in reality be much less intense than confinement in CJTS.

The result is that the continuum is not a perfect one. The juveniles who were transferred to adult court, in particular, departed from the over all pattern of increasing frequency and seriousness of legal system involvement found for the others, and sometimes showed different patterns in risks and needs as well. Often theirs was a one-time serious offense that was uncharacteristic of previous criminal behavior.

What is the risks/needs profile for juveniles in each of the groups with the most serious dispositions?

CJTS juveniles were less likely to be at the highest risk for anti-social behaviors and recidivism as measured by research instruments than those sentenced to probation and to residential placement.

The study analyzed “high-risk” behaviors as scored on the Juvenile Assessment Generic (JAG) and the Massachusetts Youth Screening Instrument (MAYSI-2). Previous studies have shown that court-involved juveniles at all levels of placement — from probation through CJTS — have high-risk behaviors and

troubled histories. The JAG is administered by CSSD to assess a juvenile offender's likelihood of recidivating.^[10] This study has found that juveniles sentenced to probation and those committed to DCF in residential placement were more likely to be assessed at the highest risk for anti-social behavior than were those juveniles placed at CJTS, as scored by the JAG. In short, it appears that the CJTS population, while a clinically challenged population in terms of anti-social behaviors, is not necessarily the population that is at highest risk for recidivism. Moreover, the probation, DCF commitment, and residential direct placement juveniles are more likely than those sentenced to CJTS or transferred to adult court to have highly elevated scores on the MAYSI-2 scales.

How do risks and needs differ, if at all, by gender and race/ethnicity?

- **Gender**

Girls sentenced to residential direct placement often show higher risks than are found for boys.

Commonly, when differences were found by gender, the differences were not large (or statistically significant) and girls were found to be lower risk. There were no substance-related gender differences within any dispositions. While boys had more family-related issues, results varied for history of mental health treatment. However, a different pattern was found for the juveniles sentenced to residential direct placement. Girls were more than twice as likely as boys to be scored over all as “very high risk.” The other largest gender differences were found for girls scoring higher than boys in poor relationships with teachers/supervisors, attitudes supporting delinquency, dominating attitudes and being manipulative.

- **Race/ethnicity**

Hispanics/Latinos sentenced to residential direct placement scored at lower risk on many dimensions, including over all risk, family relationships, dominating tendencies, being manipulative, and needing anger management.

Across these indicators, scores for Hispanics/Latinos were significantly lower (less than half) than the scores for Caucasians or African Americans. Hispanics/Latinos also had the lowest scores for a history of psychological intervention and for recommended intervention, and scored lower on substance-related risks. However, they did score highest in poor school achievement.

What factors are associated with the different dispositions?

The number of prior court cases and court location, in that order, were the two significant predictors in distinguishing sentences, even when severity of charge and race/ethnicity were taken into account.^[11]

The number of prior cases (regardless of case outcome) and court location of disposition (the largest number of serious dispositions came from three court locations) — in that order — were the two most significant sentencing predictors in distinguishing between those juveniles sentenced to CJTS and those sentenced to a residential placement program or those sentenced to probation.

- **Number of prior court cases (by disposition and race/ethnicity)**

Disposition: The number of prior court cases was the most significant sentencing predictor.

The number of prior court cases (regardless of case outcome) was the most significant predictor of sentencing. In short, the total number of prior court cases was a stronger predictor of juvenile disposition and placement than the juvenile's prior convictions or prior felonies. Neither the severity of the present charge nor race/ethnicity were predictors when prior court cases, court location, and severity of the present charge were held constant.

¹⁰ The JAG is in the final stages of a three-year validation study under the direction of Brad Bogue of the Justice System Assessment and Training (JSAT). The instrument has been validated for Years One and Two.

¹¹ A multivariate analysis was used to determine what if any characteristics account for the different dispositions. Four variables were examined that past Connecticut studies and other criminal justice research suggested are important to disposition: severity of charge, number of prior cases, race/ethnicity, and court location. Gender is usually included in such analyses, but was not relevant to this comparison, since CJTS is a male facility.

Race/ethnicity: African Americans had the greatest number of prior court cases.

Race/ethnicity was not a statistically significant predictor of sentencing to CJTS, compared to a residential placement program or probation. When number of prior cases, court location, and severity of the present charge were held constant, there was no evidence of racial/ethnic discrimination by the court at the disposition stage. There are, however, race/ethnicity issues that should be explored for the earlier stages of the court process that would help explain apparent system disparities.

Notably, juveniles sentenced to CJTS were disproportionately African American or Hispanic/Latino (89.1%). Seventy-two percent (72.2%) of the African American juveniles sentenced to CJTS had six or more prior court cases, compared to 46.7% of the Hispanic/Latinos, and all 4 of the Caucasians (100%). In contrast, 46.5% of the African American juveniles sentenced to a residential placement program had six or more prior court cases, as did 36.8% of the Hispanic/Latinos and 44.3% of the Caucasians.

- **Court location (by disposition and race/ethnicity)**

Disposition: The largest number of serious dispositions came from the courts in Connecticut's three largest cities: Bridgeport, Hartford and New Haven.

The largest number of serious dispositions came from one of three court locations — specifically, the courts in Connecticut's three largest cities: Bridgeport, Hartford and New Haven. Seventy-eight percent (78.3%) of those sentenced to time in CJTS come from the courts in one of Connecticut's three largest cities. While other factors beyond the scope of this study, such as availability of service resources in the community, may play a role in these disposition patterns, the numbers coming from these three cities (46.1% of the 2191), and the disproportionately larger numbers sentenced to CJTS are, nonetheless, worthy of further study.

Race/ethnicity: Cases of a high percentage of African American, Hispanic/Latinos and Caucasians who were sentenced to CJTS were heard in these three major urban courts.

Eighty-three percent (83.3%) of the African American juveniles sentenced to CJTS were heard in one of these three major urban courts, as were 80% of Hispanic/Latinos, and 50% of the Caucasians. In contrast, 53.5% of African American juveniles sentenced to a residential placement program were heard in one of the three major urban courts, as were 50% of Hispanic/Latinos, and 11.6% of Caucasians.

Juveniles transfers

The juveniles transferred to adult court depart from the pattern of risks and needs scores found for all the other disposition groups. Among those transferred to adult court, the juveniles from the three urban courts often had lower risks and needs scores than those from the other courts.

In general, youth in the three urban courts discussed above showed riskier behaviors, had more prior court cases, were younger at first referral to court, and — across disposition — were more likely to be scored as lacking reasonable future plans than those referred to adult court. On risks/needs assessments, juveniles in other courts were substantially more likely than those from the three urban courts to be assessed as having a psychological or emotional impairment. Moreover, juveniles who were transferred to adult court from the three urban courts were less likely to have poor school achievement and poor relationships with peers. Juveniles from other courts were more likely to have poor relationships with their mothers, have experienced physical abuse and have been recommended for psychological intervention. This profile anomaly warrants further evaluation, coupled with assessment and analysis of appropriate interventions for this population.

Violations of Probation (VOP)

When a violation of probation was the most serious charge, it was overwhelmingly for a technical violation of probation rules, not for a new arrest or charge.

Of the 2,191 juveniles in the study, there were a total of 94 who were sentenced with a VOP as their most serious charge. Of those 94, information about the violation was found for 91. Of the 91, 92.3% had a technical violation, 5.4% had a new arrest, and 2.2% had both.

Transfers to Superior Court, Criminal Matters (Adult Court)

Of those juveniles transferred to adult court, over 70% were either incarcerated or facing incarceration.

Disposition data were obtained for sixty-six (88%) of the 75 juveniles transferred to adult court. Two-thirds of high charges at the time of transfer for these cases were Class A or B felonies, but 62.1% of the juveniles had substitute charges entered before disposition. Following substitutions, just 31.8% of the juveniles had Class A or B high charges. Of the 54 cases that were disposed, 27.8% were sentenced to a period of incarceration and probation (a "split sentence"), 42.6% received sentences to probation (with incarceration suspended), 13% were transferred (most were likely transferred back to juvenile court, but the electronic records do not specify), and 7.4% were nolleed or dismissed.

Manson Youth Institution

Just seventeen of the juveniles were under age 16 at the time of admission, nine of whom were African American.

Information about the 333 youth who were sentenced to Manson Youth Institution (MYI) and admitted between January 1, 2004 and August 30, 2005, and were under age 18 at the time of admission were obtained from the Department of Correction. 81.7% were youth of color; 9.3% had maximum sentences of 10 years or more. One-quarter of the MYI youth over all were assessed as high risk. They were also shown to have several major needs. Among the most dramatic were that 93.4% were tested at the eighth grade level of education or below, and 18.4% suffered from at least some impairment from mental illness. An additional 15.7% had substantial medical needs.

FINDINGS RELEVANT TO PROGRAM DEVELOPMENT

It is important to reinforce that the research showed fewer major differences in risks/needs among juveniles across different dispositions than were anticipated at the outset of this study. For example, juveniles sentenced to CJTS in several cases showed less risky histories and patterns of behavior than those who received other dispositions.

Following are brief needs-specific profiles of clients sentenced to different dispositions that might inform program planning.

The Juvenile Assessment Generic (JAG)

Education

More than half of the juveniles overall had difficulties associated with school: 56.3% had trouble with achievement, and 55.9% had school behavior problems.

- Among those sentenced to a DCF commitment, poor school achievement was highest for Hispanics/Latinos: 90%, compared to 37.5% for Caucasians and 25% for African Americans.
- Juveniles from the three major urban courts were more likely than those from the other courts to have poor school achievement, while those transferred to adult court were less likely to have poor school achievement.

Mental Health

In general, poor family relationships, psychological difficulties and abuse were common among these juveniles. Overall, 51% had a history of psychological interventions, and 73% had psychological interventions recommended. More than 15% reported physical and/or sexual abuse.

- Juveniles sentenced to CJTS or to residential placement programs were more likely than the others to have been physically abused.
- Juveniles sentenced to CJTS were more likely than the others to have engaged in sexual offenses, to lack empathy, to blame others, to be manipulative and narcissistic, and to need help with anger management.
- Juveniles who were transferred to adult court were most likely to “need structure and control,” although just 8.3% of Hispanics/Latinos were scored as needing anger management vs. 63.6% of African-Americans and 61.1% of Caucasians.
- Clients on probation were more likely to be assessed as having a psychological or emotional impairment than were those at CJTS or residential placement.
- Only 28% of those from the three major urban courts were assessed as having a psychological or emotional impairment, and 54.5% were recommended for psychological intervention, compared to 55.6% and 80.6%, respectively, of those from other courts.

Substance abuse

No significant differences in substance abuse were found by gender within any disposition. However, the patterns of, and reasons for, substance abuse across dispositions are notable.

- Juveniles sentenced to CJTS were nearly twice as likely to have committed crimes under the influence of substances.
- Juveniles committed to DCF were more likely to have used marijuana and non-ETOH substances, and to have engaged in criminal activity to support or obtain drugs or alcohol.
- Juveniles sentenced to probation were more likely to report substance use interfering with their daily functioning.
- Caucasians had the highest self-reports of marijuana and non-ETOH substance use.^[12]

MAYSI-2

Juveniles who were sentenced to DCF commitment, compared to juveniles who received other dispositions, scored highest on patterns of psychological difficulty.

Scores on the MAYSI-2 (administered to those in detention) provide evidence of mental health needs across dispositions, in particular: somatic complaints, suicide ideation, depressed/anxious, traumatic experiences, and thought disturbance.

Child abuse and neglect

Of the 164 DCF juveniles with DCF files, 47% had records of confirmed abuse or neglect, with the earliest reports at age six.

Data were obtained from the Department of Children and Families (DCF) files for 164 (80%) of the 205 juveniles for whom court dispositions indicated commitment to the Department (a disposition of DCF commitment, residential direct placement, or CJTS). Comparison across dispositions showed that no statistically significant differences were found in age at first or last confirmed report, total number of confirmed reports per child, or type of abuse. Of the 77 juveniles with any confirmed reports, 53% had one or two, 30% had three or four, and 17% had more than four (including one who had eleven). Physical neglect was the most common type, followed by emotional neglect, physical abuse, medical neglect, educational neglect, sexual abuse/exploitation, and others.

¹² “Non-ETOH substances” are drugs other than alcohol or marijuana, such as cocaine, heroin, or PCP.

RECOMMENDATIONS

Service provision

Based on this offender profile, further analysis and evaluation of a continuum of structured, strength-based and gender-specific service and treatment interventions appropriate to offender risks and needs should be developed. Program referral must be in response to careful, individualized assessment.

These findings provide credible evidence of extensive distress across the spectrum of the juveniles studied. While the findings are complex, there is clear indication of a need — across dispositions — for expanded mental health and substance abuse treatment resources, educational programming targeted to this population, and interventions and counseling for troubled families. The relationship between abuse, neglect and trauma also needs to be analyzed further.

Dispositions

Profile findings across dispositions raise questions about the numbers of juveniles who require secure residential facilities. Further study should be undertaken to determine how and by what criteria juveniles are placed into discrete institutional or community-based programs.

Although the juveniles sentenced to CJTS have more prior court cases and some have more serious charges, the other indicators of risk (such as risks/needs scores on the JAG) do not in many instances show them to be at higher risk for anti-social behaviors and recidivism than those receiving other dispositions. This is of special concern since, at the time of this study, there was a moratorium on admissions to CJTS. Since admissions were in theory limited to the most serious offenders, one might have expected these profile risks, needs and differences to have been greater than would have been found under more “normal” circumstances.

Differences among courts

Additional analyses focused on juveniles from the three largest urban courts and juveniles transferred to adult court would help to complete the juvenile offender profile.

Juveniles from the three largest urban courts were more likely than those from other courts to be sentenced to CJTS, even when number of prior cases, severity of charges and race/ethnicity were controlled statistically. It is essential to investigate this finding further to determine potential explanations, such as court volume, differences in court culture and/or availability of alternative community-based programs and resources. In addition, it is important to analyze further the differences between juveniles who were transferred to adult court and other juvenile offenders.

Race/ethnicity

To shed light on race/ethnicity issues, further analyses that include the total group of 14,000 juveniles with cases in 2004 should be examined, to determine how they are handled and which juveniles are detained prior to disposition.

Race/ethnicity was not a statistically significant predictor of sentencing in distinguishing between those juveniles sentenced to CJTS and those sentenced to a residential placement program or to probation. While there is no evidence of racial/ethnic discrimination by court and among dispositions in the findings of this profile study (when number of prior cases, court location, and severity of the present charge were held constant), there are race/ethnicity disparity issues that should continue to be explored at the earlier stages of the court process.

Need for improved and expanded interagency information gathering

An improved and expanded interagency information-gathering system should be developed. This effort is critical to enabling future research and evaluation, improvement in operational practices, and policy collaboration efforts.

The experience of attempting to collect data for this study reinforces the importance of expanding the capacity of agencies involved in the juvenile justice system to share information electronically. Agreement on use of a common unique identifier (such as an identification number) across Judicial (including court and programs) and DCF records (for both programs and abuse/neglect) would greatly facilitate future efforts to understand this population and to assess progress in meeting its needs.

TABLES

The tables below are divided into the following categories: demographics; prior juvenile history; numbers and types of charges associated with current disposition; court location; and social history and risk needs assessment. They represent a very detailed comparative profile of the 2,191 juveniles sentenced to probation, committed to the Department of Children and Families (including those sent to residential placements or to the Connecticut Juvenile Training School), or transferred to Superior Court, Criminal Matters (where adult criminal cases are heard).

Key findings are provided in bullets following each table. In addition, analysis is attached under some discrete tables in response to specific questions raised by key policy makers and practitioners in the private and public sectors during briefing sessions about the study's first findings.

DEMOGRAPHICS – AGE OF REFERRAL, RACE/ETHNICITY AND GENDER (TABLES 1 - 3)

TABLE 1
Age at 2004 referral

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
10 or younger	.4%	2.3%	.0%	.0%	.0%	.4%
11 – 12	6.8%	2.3%	1.6%	.0%	.0%	6.0%
13 – 14	40.2%	20.9%	36.0%	27.0%	13.3%	38.4%
15	36.0%	27.9%	42.4%	40.5%	44.0%	36.6%
16	16.6%	46.5%	20.0%	32.4%	42.7%	18.6%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- Juveniles ages 13-16 received more serious dispositions than those who were younger.
- Almost 19% (18.6%) of juveniles referred in 2004 were 16 at the time of referral, even though they are no longer considered juveniles at age 16. Those age 16 were referred either for crimes committed before age 16, for violations of probation, or for violations of court order related to crimes committed when they were under the age of 16.

TABLE 2
Race/ethnicity

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
White	42.3%	37.2%	34.4%	10.8%	24.0%	40.6%
African-American	34.9%	37.2%	34.4%	48.6%	58.7%	35.9%
Hispanic/Latino	21.2%	23.3%	30.4%	40.5%	16.0%	21.9%
Asian	.6%	.0%	.0%	.0%	1.3%	.5%
Other/Unknown	1.0%	2.3%	.8%	.0%	.0%	1.1%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- The more serious the disposition, the more likely the offender was to be a juvenile of color.
- Juveniles of color who were sentenced to CJTS following a 2004 referral were disproportionately represented: 48.6% were African-American; 40.5% were Hispanic/Latino.
- African Americans were significantly more likely to be transferred to adult court. While transfer is a matter of statute, additional analysis should be conducted to examine the nature of the charges as well as the profile of those transferred back to juvenile court.

RESPONSE TO REVIEWER QUESTIONS

Court location analysis: Juveniles sentenced to probation, DCF commitment, a residential direct placement program, or transferred to adult court from one of the three urban courts (Hartford, Bridgeport and New Haven) were all significantly more likely to be African American or Latino. Among those sentenced to CJTS, 93.1% of those from the three urban courts were African American or Latino, in contrast to 75% of those from the state's other courts.

TABLE 3
Gender

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
Female	22.2%	34.9%	24.8%	2.7%	4.0%	21.7%
Male	77.8%	65.1%	75.2%	97.3%	96.0%	78.3%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- Over all, 78.3% were boys; 21.7% were girls.
- A very small number of girls (three) were transferred to adult court. Two were charged with assault 1; the other with aggravated sexual assault 1.
- One girl was sentenced to CJTS and it was for a violation (although DCF placed her elsewhere).
- Of those girls who were sent to residential placement, 45.2% were charged with felonies and 29% were charged with a violation, compared to 64.8% of boys charged with felonies and 5.3% with a violation.
- Of those girls sentenced to probation, 26.1% were charged with felonies and 11.3% with violations, compared to 47.9% of boys charged with felonies, 3.2% with violations.

PRIOR HISTORY IN JUVENILE COURT (TABLES 4 - 6)

TABLE 4
Age at first juvenile court case

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
10 or younger	12.6%	14.0%	24.0%	29.7%	21.3%	13.8%
11 – 12	30.4%	46.5%	36.8%	40.5%	21.3%	31.0%
13 – 14	46.0%	30.2%	37.6%	27.0%	37.3%	44.6%
15	11.0%	9.3%	1.6%	2.7%	20.0%	10.6%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- Almost 90% of those referred to juvenile court were 14 or younger at first court case.
- Those juveniles who had the most serious dispositions were those who had their first court case at a very early age.
- Twenty-one percent (21.3%) of those who were transferred to adult court in 2004 were 10 or younger when they had their first juvenile court case.
- Seventy percent (70.2%) of those sentenced to CJTS had their first court case before they reached the age of 13.

RESPONSE TO REVIEWER QUESTIONS

Court location analysis: Among those sentenced to probation, DCF commitment and CJTS, the juveniles who came from the other courts in the state were older when they had their first court case than the juveniles who came from the three major urban courts. For example, among those sentenced to CJTS, 12.5% of the juveniles from the other courts were 15 the first time they were referred, compared to none of those from the three major urban courts (i.e., they all had their first court case when they were younger).

TABLE 5
Number of prior court cases before the present incident

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
None	27.1%	4.7%	1.6%	8.1%	21.3%	24.6%
1	18.7%	7.0%	4.0%	.0%	8.0%	17.0%
2	16.8%	9.3%	8.0%	2.7%	12.0%	15.7%
3 – 5	26.1%	16.3%	44.0%	24.3%	24.0%	26.8%
6 – 10	10.0%	44.2%	33.6%	40.5%	25.3%	13.2%
11 or more	1.2%	18.6%	8.8%	24.3%	9.3%	2.6%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- The more serious the disposition within Juvenile Matters, the more prior court cases the client had.
- Nearly two-thirds of those sentenced to CJTS had six or more prior court cases, and a quarter had 11 or more.
- Although many children were already known to the court, almost one-quarter (24.6%) were referred for the first time.

RESPONSE TO REVIEWER QUESTIONS

Gender analysis: Girls sentenced to probation were less likely than boys to have no prior court cases (20.7% vs. 28.9%) and more likely to have three or more (41.8% vs. 36.2%). No significant gender differences were found for the other dispositions.

Racial/ethnic analysis: Caucasians sentenced to probation were most likely to have no prior court cases (34.2% vs. 21.8% for African Americans and 22% for Hispanics/Latinos), and least likely to have three or more (30.3% vs. 42.9% for African Americans and 41% for Hispanics/Latinos).

Court location analysis: Juveniles from the three major urban courts who were sentenced to CJTS had more prior referrals than those from the other courts. Just 3.4% had no prior court cases (compared to 25% of those from the other courts), and 93.2% had three or more (compared to 75%). Differences within other dispositions were not significant statistically.

TABLE 6
Number of prior felony cases

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
None	78.6%	46.5%	9.2%	29.7%	45.3%	74.9%
1	11.3%	9.3%	18.4%	24.3%	9.3%	11.8%
2	5.1%	9.3%	8.8%	10.8%	20.0%	6.0%
3 or more	5.0%	34.9%	13.6%	35.1%	25.3%	7.3%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- DCF commitment juveniles are almost as likely as CJTS juveniles to have had three or more prior felony court cases (34.9 vs. 35.1).
- Almost forty-six percent (45.9%) of CJTS juveniles had two or more prior cases with felony charges, compared to 22.4% of juveniles sentenced to residential placement.
- Of juveniles referred to adult court, 45.3% have no prior felonies, while 45.3% have two or more.

RESPONSE TO REVIEWER QUESTIONS

Gender analysis: 91.5% of girls sentenced to probation had no prior felony court cases, and just 1.2% had three or more. In contrast, 75% of boys sentenced to probation had no prior felony court cases, and 6.1% had three or more. Differences were found among other dispositions, as well. 73.3% of girls sentenced to DCF commitment had no prior felony court cases, and 13.3% had three or more, while 32.1% of boys sentenced to probation had no prior felony court cases, and 46.4% had three or more. Among those sentenced to a residential direct placement program, 77.4% of girls had no prior felony court cases, and none had three or more, while 53.2% of the boys had no prior felony court cases, and 18.1% had three or more.

Racial/ethnic analysis: Meaningful differences were found for two dispositions. 81.3% of the Caucasians sentenced to probation had no prior felony court cases, compared to 74.9% of the African Americans and 78.8% of the Hispanics/Latinos, while 3.1%, 7.1% and 5.7%, respectively, had three or more. Among those sentenced to DCF commitment, 75% of Caucasians (vs. 12.5% of African Americans and 50% of Hispanics/Latinos) had no prior felony court cases, while 6.3%, 68.8% and 30%, respectively, had three or more.

Court location analysis: None of the comparisons of court location had results that were significant statistically. In fact, within some dispositions, juveniles from the other courts were more likely to have three or more prior felony court cases than those from the three major urban courts.

NUMBERS AND TYPES OF CHARGES AND COURT LOCATION (TABLES 7 – 10)

TABLE 7
Number of charges in this referral

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
1	28.4%	69.8%	25.6 %	21.6%	12.0%	28.4%
2	33.9%	16.3%	20.8%	27.0%	30.7%	32.6%
3 or more	37.7%	14.0%	53.6%	51.4%	57.3%	39.0%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- Juveniles who were sentenced to residential placement programs or to CJTS, or whose cases were transferred to adult court were substantially more likely than the others to have three or more charges in the present referral.

TABLE 8
Number of felonies in this referral

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
0	56.9%	74.4%	40.0%	27.0%	1.3%	53.9%
1	25.7%	20.9%	32.8%	37.8%	24.0%	26.1%
2 or more	17.4%	4.7%	27.2%	35.1%	74.7%	20.0%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- Over all, 53.9% of these juveniles were not charged with any felonies in this case. More than a quarter of juveniles at CJTS had no felony charges on referral.
- Juveniles sentenced to CJTS were more likely than the others to have been charged with at least one felony (although 27% had no felony charges).
- Juveniles whose cases were transferred to adult court were most likely to have felony charges; in fact, only one of these juveniles did not.

TABLE 9
Severity of most serious charge on 2004 referral

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
A Felony ^[13]	.2%	.0%	.0%	.0%	10.7%	.5%
B Felony	3.1%	.0%	9.6%	2.7%	72.0%	5.8%
C Felony	12.8%	14.0%	23.2%	16.2%	9.3%	13.3%
Uncl. Felony	10.6%	2.3%	9.6%	21.6%	6.7%	10.5%
D Felony	16.5%	9.3%	17.6%	32.4%	.0%	16.1%
A Misdemeanor	29.3%	23.3%	19.2%	18.9%	.0%	27.4%
U Misdemeanor	2.4%	.0%	1.6%	.0%	.0%	2.2%
B Misdemeanor	13.9%	.0%	4.8%	.0%	.0%	12.4%
C Misdemeanor	5.9%	.0%	3.2%	2.7%	.0%	5.4%
Infraction	.4%	.0%	.0%	.0%	.0%	.4%
Violation	5.0%	.0%	11.2%	5.4%	.0%	5.1%
FWSN	.0%	48.8%	.0%	.0%	1.3%	1.0%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- 82.7% of the juveniles whose cases were transferred to adult court were charged with a Class A or B felony as mandated by statute.
- 16% of the juveniles whose cases were transferred to adult court were charged with unclassified or Class C felonies.
- More than 27% over all were convicted of an A misdemeanor charge, although this does not take into account the number of priors.

RESPONSE TO REVIEWER QUESTIONS

Gender analysis: Boys were more likely than girls to be convicted of felonies among those sentenced to probation (47.9% vs. 26.1%), DCF commitment (32.2% vs. 13.3%), and residential direct placement (64.8% vs. 45.2%).

Racial/ethnic analysis: Differences in charge severity were statistically significant only among those sentenced to probation: 42.7% of Caucasians were convicted of a felony, compared to 33.9% of African Americans and 42.1% of Hispanics/Latinos.

Court location analysis: Differences in charge severity were significant statistically only among juveniles sentenced to a residential direct placement program. 74.5% of those from one of the three major urban courts were convicted of a felony, compared to 51.2% of those from the other courts.

VIOLATIONS OF PROBATION (VOP)

Of the 2,191 juveniles in the study, there were a total of 94 who were sentenced with a VOP as their most serious charge. Of those 94, information about the violation was found for 91. Of the 91, 92.3% had a technical violation, 5.4% had a new arrest, and 2.2% had both. In short, when a violation of probation was the most serious charge, it was overwhelmingly for a technical violation of probation rules, not for a new arrest or charge.

¹³ A and B felonies committed by juveniles over the age of 14 are not discretionary. They are sent to adult court.

TABLE 10
Court location

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
Danbury	3.0%	4.7%	4.8%	.0%	1.3%	3.1%
Stamford	4.2%	4.7%	5.6%	2.7%	2.7%	4.2%
Norwalk	4.9%	4.7%	4.8%	2.7%	.0%	4.7%
Bridgeport	9.3%	4.7%	14.4%	10.8%	9.3%	9.5%
Hartford	17.3%	14.0%	16.8%	45.9%	28.0%	18.0%
New Britain	9.7%	7.0%	12.0%	2.7%	4.0%	9.5%
Waterford	5.2%	4.7%	4.0%	5.4%	9.3%	5.3%
Torrington	3.3%	.0%	7.2%	.0%	6.7%	3.5%
Middletown	4.8%	4.7%	3.2%	2.7%	2.7%	4.6%
New Haven	18.7%	39.5%	6.4%	21.6%	21.3%	18.6%
Rockville	6.9%	4.7%	1.6%	2.7%	5.3%	6.4%
Waterbury	9.3%	2.3%	16.8%	2.7%	8.0%	9.4%
Willimantic	3.3%	4.7%	2.4%	.0%	1.3%	3.1%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- The most serious dispositions come primarily from the courts in Connecticut's three largest cities: Bridgeport, Hartford, and New Haven.
- 78.3% of those sentenced to time in CJTS come from courts in one of the three largest cities.
- 58.6% of those transferred to adult court are referred from courts in one of the three largest cities; an additional 17.3% come from the courts in Waterbury or Waterford.
- 54.7% of those sentenced to probation come from courts in one of the three largest cities.

(See Appendix A)

SOCIAL HISTORY AND RISKS/NEEDS ASSESSMENT (TABLES 11 - 16)

JAG: The Juvenile Assessment Generic (JAG) is a scientifically validated screening and assessment instrument used by the Judicial Branch to identify, measure, and address both a juvenile offender's "criminogenic needs" (factors that lead to or cause crime and delinquency) and the juvenile's "protective factors" (factors that lessen the likelihood of crime and delinquency). The overall combined score that assesses a juvenile's likelihood of recidivating is what is reflected in the following tables.

The JAG is used after conviction, but before sentencing. It is important to keep in mind that the information in the following tables is based on juveniles' self-report and that the JAG is administered by a non-clinician. It is not used in determining dispositions. It is used by the Judicial Branch only to determine levels of supervision and referrals to clinical or social services that may be needed. For purposes of this report, the JAG results inform the profile of the juvenile offender as it relates to the analysis of the population's risks/needs and dispositions.

MAYSI-2: The Massachusetts Youth Screening Instrument (MAYSI-2) is a nationally recognized screening tool administered when juveniles are admitted to detention and upon adjudication when they are sentenced to periods of probation. Data from the MAYSI-2 seven-point scale further inform the risks and needs profile of the juveniles, as well as priority programming needs.

TABLE 11
Assigned overall risk level from JAG

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
Low	22.2%	23.3%	22.4%	16.2%	24.0%	22.2%
Medium	35.3%	39.5%	36.0%	40.5%	34.7%	35.5%
High	31.3%	30.2%	32.0%	40.5%	36.0%	31.6%
Very high	11.2%	7.0%	9.6%	2.7%	5.3%	10.7%
Total number	1911	43	125	37	75	2191
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

- Over all, more than half (57.7%) of these juveniles were assessed as being low or medium risk.
- Juveniles sentenced to probation and those committed to DCF in residential placement programs were more likely than those sentenced to CJTS or transferred to Criminal Matters to be assessed as being very high risk.
- Juveniles sentenced to CJTS were only slightly more likely than those sentenced to probation to be assessed as high or very high risk (43.2% compared to 42.5%).

RESPONSE TO REVIEWER QUESTIONS

Gender analysis: Boys sentenced to probation and DCF commitment were somewhat more likely than girls to be assessed as high or very high risk (43.2% vs. 40% for probation and 39.2% vs. 33.4% for DCF commitment); 45.1% of the girls sentenced to residential direct placement were high or very high risk, compared to 40.4% of the boys. No gender comparisons were created for CJTS (no girls went there) or adult transfer groups (just 3 girls, but 72 boys).

Racial/ethnic analysis: The only substantial differences were found among those sentenced to a residential direct placement program: 51.2% of the African Americans were assessed as high or very high risk, compared to 44.2% of the Caucasians and 29% of the Hispanics/Latinos.

Court location analysis: No statistically significant differences were found for risk level, although for all dispositions except transfer to adult court the juveniles from the three major urban courts were more likely to score as high or very high risk.

TABLE 12**Types of risk: substance-related (% with risk indicated on JAG)**

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
Use of tobacco	26.7%	20.9%	23.2%	32.4%	25.3%	26.4%
Alcohol abuse	7.4%	2.3%	7.2%	.0%	8.0%	7.2%
Marijuana use	23.8%	25.6%	20.8%	21.6%	17.3%	23.4%
Use of non-ETOH substances ^[14]	39.2%	42.9%	36.0%	37.8%	34.7%	38.9%
Substance use/ life interference	13.5%	7.0%	10.4%	10.8%	13.3%	13.2%
Crimes under the influence	6.7%	7.0%	6.4%	13.5%	6.7%	6.8%
Crimes to support drugs	4.1%	4.7%	1.6%	2.7%	1.3%	3.9%

- Juveniles sentenced to CJTS were nearly twice as likely as the others to have committed crimes under the influence of substances.
- Juveniles committed to DCF were more likely to say they have used marijuana and non-ETOH substances, and to have engaged in criminal activity to support or obtain drugs or alcohol.
- Juveniles sentenced to probation were more likely to be assessed as having substance use interfering with their daily functioning.
- Juveniles are least likely to self-report that they are using alcohol.

RESPONSE TO REVIEWER QUESTIONS

Court location analysis: The only significant differences were found for juveniles sentenced to residential direct placement. The juveniles from the three major urban courts were more likely to report having used marijuana (34% vs. 12.8%), non-ETOH substances (48.9% vs. 28.2%), and to be scored that substance use interferes with their life functioning (17% vs. 6.4%).

Gender analysis: No significant differences were found on these items within any disposition.

Racial/ethnic analysis: Among those sentenced to a DCF commitment, 31.3% of Caucasians reported having used marijuana, compared to 6.3% of African Americans and 50% of Hispanics/Latinos; Caucasians were more likely to report using non-ETOH substances (62.5%), than African Americans (18.8%) of Hispanics/Latinos (55.6%) Among those sentenced to a residential direct placement program, 11.6% of African Americans reported they had used alcohol, compared to 7% of Caucasians and 2.6% of Hispanics/Latinos. Of those transferred to adult court, 27.8% of Caucasians said they had used marijuana, compared to 18.2% of African Americans and none of the Hispanics/Latinos.

¹⁴ "Non-ETOH substances" are drugs other than alcohol or marijuana, such as cocaine, heroin, or PCP.

TABLE 13
Types of risk: family/distress (% with risk indicated on JAG)

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
Poor relations with mother	42.2%	46.5%	44.8%	29.7%	45.3%	42.4%
Poor relations with father	63.1%	53.5%	68.8%	62.2%	66.7%	63.4%
Family psychiatric history	41.3%	30.2%	46.4%	35.1%	44.0%	41.4%
Physical abuse	14.7%	9.3%	16.0%	16.2%	9.5%	14.5%
Sexual abuse	7.0%	2.3%	9.6%	.0%	2.7%	6.8%
Chaotic family	52.0%	46.5%	57.6%	45.9%	48.0%	52.0%
Lives away from parents/guardians	11.5%	7.0%	10.4%	13.5%	9.3%	11.3%
History of psychological intervention	58.7%	55.8%	59.2%	59.5%	68.0%	59.0%
Psychological intervention recommended	73.6%	69.8%	69.6%	81.1%	65.3%	73.1%

- In general, family and psychological difficulties are common among these juveniles.
- Juveniles sentenced to CJTS were substantially less likely than the others to be assessed as having poor relationships with their mothers, but were similar to the others in having poor relationships with their fathers (63.4% over all).
- Juveniles sentenced to CJTS or to residential placement programs were more likely than the others to have been physically abused.
- Over all, 52% of these juveniles have “chaotic families”; such families are most prevalent among those sentenced to a residential placement program and least among those sentenced to CJTS.
- Juveniles sentenced to CJTS were less likely than those whose cases were transferred to adult court to have a history of psychological intervention of some kind, but substantially more likely to have treatment recommended.

RESPONSE TO REVIEWER QUESTIONS

Gender analysis: Boys sentenced to probation were more likely to live away from parents/guardians (12.5% vs. 8%). Boys sentenced to DCF commitment were more likely to be scored as having poor relationships with their mothers (60.7% vs. 20%). Girls sentenced to DCF commitment were more likely to have a history of psychological intervention (80% vs. 42.9%). In contrast, boys sentenced to residential direct placement were somewhat more likely to have a psychiatric history (50% vs. 35.5%).

Racial/ethnic analysis: Differences across race/ethnicity were found on scores indicating poor relationships with their mother for those sentenced to residential direct placement and CJTS, and those transferred to adult court. In each case, scores for Hispanics/Latinos were significantly lower (less than half) than the scores for Caucasians or African Americans. Hispanics/Latinos also had the lowest scores among those sentenced to a residential direct placement program for a history of psychological intervention (42.1% vs. 62.8% for Caucasians and 69.8% for African Americans), and for recommended intervention (63.2% vs. 65.1% and 81.4%).

Court location analysis: The primary differences within dispositions were found among those whose cases were transferred to adult court, and the juveniles from the other courts were scored at higher risk on the items that were significant. They were more likely than those from the three major urban courts to be scored as having poor relationships with their mothers (58.1% vs. 36.4%), to have experienced physical abuse (16.1% vs. 4.7%), and to be recommended for psychological intervention (80.6% vs. 54.5%). In contrast, among the juveniles sentenced to a DCF commitment, 68% of those from the three major urban courts were scored as having poor relationships with their fathers, compared to 33.3% of those from the other courts.

TABLE 14

Types of risk: peers/stake in community (% with risk indicated on JAG)

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
Poor school achievement	56.2%	44.2%	57.6%	64.9%	60.0%	56.3%
Poor classroom behavior	55.0%	60.5%	64.0%	67.6%	57.3%	55.9%
Poor relations with peers	34.2%	44.2%	33.6%	40.5%	37.3%	34.6%
Poor relations with teacher/supervisor	41.2%	41.9%	42.4%	56.8%	48.0%	41.8%
Poor parental supervision	37.8%	37.2%	40.0%	27.0%	34.7%	37.6%
Poor use of time	60.9%	62.8%	62.4%	70.3%	62.7%	61.2%
No pro-social interests	31.5%	27.9%	24.0%	32.4%	28.0%	30.9%
Few pro-social acquaintances	40.1%	37.2%	40.0%	48.6%	42.7%	40.2%
Few pro-social friends	45.0%	41.9%	45.6%	56.8%	45.3%	45.2%
Allegiance to criminal peers	26.5%	30.2%	24.0%	32.4%	26.7%	26.6%
Poor attitude toward sentence	18.1%	9.3%	16.8%	16.2%	12.0%	17.6%
Supportive of delinquency	16.1%	11.6%	16.0%	21.6%	17.3%	16.1%
Absence of reasonable future plans	39.2%	39.5%	38.4%	43.2%	40.0%	39.2%

- More than half of these juveniles have difficulties associated with school: 56.3% have trouble with achievement, and 55.9% have school behavior problems.

- The juveniles sentenced to CJTS were more likely than the others to have school-related problems.
- The juveniles sentenced to CJTS were also more likely than the others to have poor relationships with teachers or people who supervise them, to make poor use of time, have no pro-social interests, have very few pro-social friends or acquaintances, have allegiance to criminal peers, be supportive of delinquency, and have no reasonable future plans.
- In contrast, the juveniles sentenced to CJTS were least likely to have poor parental supervision.
- The juveniles sentenced to probation were more likely than the others to have poor attitudes toward their sentence.

RESPONSE TO REVIEWER QUESTIONS

Gender analysis: Boys sentenced to probation were more likely to have a poor attitude toward their sentence (19.4% vs. 13.7%). Boys sentenced to DCF commitment were more likely to have poor school achievement (53.9% vs. 26.7%), and to be seen as lacking reasonable future plans (50% vs. 20%). Girls sentenced to residential direct placement were more likely to be scored as having poor relationships with a teacher or supervisor (54.8% vs. 38.3%) and to have attitudes supportive of delinquency (25.8% vs. 12.8%).

Racial/ethnic analysis: The greatest difference was found among those sentenced to a DCF commitment in poor school achievement: 37.5% for Caucasians, 25% for African Americans, but 90% for Hispanics/Latinos. Hispanics/Latinos in this group were most likely to score as lacking pro-social interests (60%, vs. 12.5% for Caucasians and 25% for African Americans) or reasonable future plans (60% vs. 18.8% for Caucasians and 50% for African Americans). The remaining differences were found among those transferred to adult court, where African Americans scored as higher risk. They were more likely to have few pro-social acquaintances (56.8% vs. 27.8% of Caucasians and 16.7% of Hispanics/Latinos), few pro-social friends (56.8% vs. 38.9% of Caucasians and 16.7% of Hispanics/Latinos), and allegiance to criminal peers (34% vs. 27.8% of Caucasians and none of the Hispanics/Latinos).

Court location analysis: Most of the statistically significant differences were found for the juveniles sentenced to a DCF commitment or transferred to adult court. Among those sentenced to a DCF commitment, the juveniles from the three major urban courts were more likely than those from the other courts to have poor school achievement (60% vs. 22.2%), poor relationships with teachers or supervisors (56% vs. 22.2%), poor parental supervision (52% vs. 16.7%), no pro-social interests (40% vs. 11.1%), and to be scored as lacking reasonable future plans (52% vs. 22.2%). Among those transferred to adult court, juveniles from the three major urban courts were more likely to be scored as lacking pro-social acquaintances (56.8% vs. 22.6%) and pro-social friends (59.1% vs. 25.8%); but less likely to have poor school achievement (47.7% vs. 77.4%) and poor relationships with peers (27.3% vs. 51.6%). Among the juveniles sentenced to a residential direct placement program, 48.9% of those from the three major urban courts were assessed as lacking reasonable future plans, compared to 32.1% of those from the other courts.

TABLE 15
Types of risk: personal values (% with risk indicated on JAG)

	PROBATION	DCF COMMITMENT	RESIDENTIAL DIR PLACE	CJTS	ADULT TRANSFER	TOTAL
Sexual offending	4.6%	4.7%	2.4%	10.8%	9.5%	4.8%
Sexual treatment	2.3%	4.7%	.8%	2.7%	8.1%	2.5%
Dominating attitude	26.4%	39.5%	26.4%	32.4%	32.0%	26.9%
No empathy	22.4%	18.6%	22.4%	27.0%	26.7%	22.5%
Blames others	41.6%	32.6%	40.8%	54.1%	40.0%	41.5%
Manipulative	43.1%	39.5%	35.2%	62.2%	45.3%	43.0%
Narcissistic	7.6%	4.7%	6.4%	8.1%	6.7%	7.5%
Needs structure and control	72.3%	72.1%	70.4%	70.3%	74.7%	72.2%
Anger management	56.5%	51.2%	56.8%	64.9%	54.7%	56.5%
Psychological/ emotional impairment	50.2%	39.5%	44.0%	45.9%	52.0%	49.6%

- More specifically, juveniles sentenced to CJTS were more likely than the others to have engaged in sexual offenses, to lack empathy, to blame others, to be manipulative and narcissistic, and to need help with anger management.
- The juveniles who were transferred to adult court were most likely to “need structure and control”.

RESPONSE TO REVIEWER QUESTIONS

Gender analysis: Boys sentenced to probation were more likely than girls to be scored as manipulative (44.5% vs. 38.2%), needing anger management (57.5% vs. 53.1%), and as having psychological/emotional impairment (51.4% vs. 46.0%). Boys sentenced to DCF commitment were more likely to be scored as having no empathy (25% vs. 6.7%). In contrast, girls sentenced to residential direct placement were more likely than boys to be scored as having a dominating attitude (38.7% vs. 22.3%) and as being manipulative (48.4% vs. 30.9%).

Racial/ethnic analysis: The primary differences were found among those sentenced to a residential direct placement program. African Americans were more likely to have scores that indicated a dominating attitude: 37.2% did, compared to 27.9% of Caucasians and 13.2% of Hispanics/Latinos. 41.9% of both Caucasians and African Americans had scores suggesting they were manipulative, compared to 21.1% of Hispanics/Latinos. The only other meaningful difference was found among those who were transferred to adult court: 61.1% of Caucasians and 63.6% of African Americans were scored as needing anger management, compared to just 8.3% of Hispanics/Latinos.

Court location analysis: The only statistically significant difference was found among juveniles sentenced to a DCF commitment. Just 28% of those from the three major urban courts were assessed as having a psychological or emotional impairment, compared to 55.6% of those from the other courts.

TABLE 16
MAYSI-2 Scores (% at or above “warning” levels on MAYSI-2)

	PROBATION N=1069	DCF COMMITMENT N=13	RESIDENTIAL DIR PLACE N=43	CJTS N=15	ADULT TRANSFER N=20	TOTAL N=1160
Angry/Irritable	10.2%	7.7%	9.4%	0.0%	5.0%	9.9%
Somatic Complaints	2.7%	15.4%	9.1%	0.0%	0.0%	3.0%
Alcohol/Drug Use	0.8%	0.0%	4.5%	0.0%	0.0%	0.9%
Suicide Ideation	7.0%	15.4%	9.0%	0.0%	0.0%	7.0%
Depressed/Anxious	3.6%	7.7%	6.8%	0.0%	0.0%	3.7%
Thought Disturbance *	8.3%	20.0%	8.8%	0.0%	5.3%	8.1%
	(N = 817)	(N = 5)	(N = 34)	(N = 14)	(N = 19)	(N = 889)
Traumatic Experiences **	6.7%	15.4%	13.7%	6.7%	5.0%	7.1%

* These scores apply to boys only, as specified in the manual describing the items and their interpretation.

** These had not been normed at the time of second printing of the manual; % is 4 or more out of 5 of the measured experiences over the youth's lifetime instead of “the past few months”, as is true for all other items.

- The MAYSI-2 is administered to juveniles who are in detention. For this reason, scores are available for only 1160 (52.9%) of those who have data shown in other profile tables.
- The probation, DCF commitment, and residential direct placement juveniles are more likely than those sentenced to CJTS or transferred to adult court to have highly elevated scores on these scales. However, the last two groups are also least likely to have data available.

CHILD ABUSE AND NEGLECT

Data were obtained from the Department of Children and Families (DCF) files for 164 (80%) of the 205 juveniles for whom court dispositions indicated they had been committed to the Department (a disposition of DCF commitment, residential direct placement, or CJTS). Of the 164, records of confirmed abuse or neglect were found for 47%, with the earliest reports at age six. Comparison across dispositions showed that no statistically significant differences were found in age at first or last confirmed report, total number of confirmed reports per child, or type of abuse. Of the 77 juveniles with any confirmed reports, 53% had one or two, 30% had three or four, and 17% had more than four (including one who had 11). Physical neglect was the most common type (36.6% had at least one confirmed report), followed by emotional neglect (14.6%), physical abuse (11%), medical neglect (6.1%), educational neglect (5.5%), sexual abuse/exploitation (3.7%), and others at still lower rates.

ADULT TRANSFERS AND MANSON YOUTH INSTITUTION

TRANSFERS TO SUPERIOR COURT, CRIMINAL MATTERS (“ADULT COURT”)

Seventy-five of the juveniles included in the profiles just reviewed had their cases transferred to Superior Court, Criminal Matters (“Adult Court”). Of these, 66 cases were matched with cases heard in the adult system: 63 males (95.5%) and 3 females (4.5%). 21.2% were Caucasian, 62.1% were African American, 15.2% were Hispanic/Latino, and 1.5% were all others; this distribution is similar to the full group of 75. Two-thirds of high charges at the time of transfer were Class A or B felonies, but 62.1% of the juveniles had substitute charges entered before disposition. Following substitutions, just 31.8% of the juveniles had Class A or B high charges.

At the time the data were retrieved for analysis, 12 (18.2%) of the cases had not yet been disposed. Of the 54 cases that had been disposed, 27.8% had been sentenced to a period of incarceration and probation (a “split sentence”), 42.6% received sentences to probation (with incarceration suspended), 13% had been transferred (most were likely transferred back to juvenile court, but the electronic records do not specify, and 7.4% had been nolle or dismissed. Other dispositions included unconditional discharge and time served. African Americans were more likely than Caucasians to receive a split sentence, and also had more serious original and final charges.

MANSON YOUTH INSTITUTION

In response to particular interest from legislators, and to nearly complete the profile of juveniles arrested for illegal activity, data were obtained from the Department of Correction about youth under age 18 who had been sentenced to Manson Youth Institution (MYI) during the same period as the youth profiled in the rest of this report had been referred to juvenile court. All males who are under the age of 18 at the time they are sentenced to incarceration in adult court are sent to the Manson Youth Institution. MYI is a facility for boys only, so the data that follow apply only to incarcerated boys. Specifically, the following information describes boys who were sentenced to MYI between January 1, 2004 and August 30, 2005, and were under age 18 at the time of admission. Just 5.1% of these males were under the age of 16.

TABLE 17
MYI: Age and Race/Ethnicity of Sentenced Youth Under Age 18

AGE AT MOST RECENT SENTENCE	WHITE	AFRICAN AMERICAN	HISPANIC/ LATINO	ASIAN	TOTAL
14	0%	1.9%	0%	0%	0.9%
15	3.3%	5.6%	2.7%	0%	4.2%
16	24.6%	32.9%	22.7%	100.0%	28.2%
17	72.1%	59.6%	74.5%	0%	66.7%
TOTAL PERCENT	100.0%	99.9%	99.9%	100.0%	100.0%
TOTAL NUMBER	61	161	110	1	333

- 5.1% of this group were under age 16 at the time they were admitted to serve their sentence — a total of 17 juveniles.
- 9 of the 17 juveniles under age 16 were African American.
- 161 of this total group (48.3%) were African American; 110 (33%) were Hispanic/Latino.
- Of the total group, the African American males were younger: 41.4% were age 16 or below.

Out of the total group of 333 youth:

- 17.4% were serving sentences for more than one arrest.
- 1.7% had been admitted to serve sentences in the past.
- 64.6% had been convicted of a single charge.
- 39.9% had been convicted of at least one felony; for 19.2% the most serious charge at conviction was a misdemeanor; and charge data for the remaining 40.9% required reference to manual files to determine.
- 27.3% were sentenced to maximum sentences of less than one year, but 9.3% had maximum sentences of 10 years or more.

Based on the risks/needs assessment data:

- Just 4.8% were assessed at the top two levels of “violent” scores at intake because of the level of violence involved in the incident for which they were convicted.
- 38.3% were assessed at the two highest levels of risk based on the severity of their charges.
- 25% were assessed with an over all risk level of 4, which is considered high risk.
- 15.7% were assessed as having “mildly limited physical capacity or acute or chronic illness, disease or disorder”; Caucasian youth were most likely to receive this assessment (25% did, compared to 19.1% of Hispanics/Latinos and 9.9% of African Americans).
- 3% were assessed as having “moderate impairment from a psychiatric condition”; 15.4% were considered to be “mildly or moderately impaired with a latent or chronic mental illness.” Caucasian youth were most likely to receive one of these two scores (30%, compared to 21.8% of Hispanics/Latinos and 11.8% of African Americans).
- 4.5% scored below eighth grade level on standardized tests, or were considered more seriously deficient. 88.9% were assessed at the eighth grade level on standardized tests. It is important to remember that just 5.1% of these youth were under age 16.
- 1.8% were scored as having no vocational “skill or training in any field”; 89.8% were deemed to “possess limited work skills, but are capable of learning and performing repetitive tasks in a satisfactory manner.” This is not surprising, however, in a group of youth age 17 or younger.
- 10.5% were assessed as having a “chronic history of substance abuse,” based on frequency of use and disruption of major life areas.
- 8.4% scored at a level of “sex offense treatment need” that required referral to program staff for further evaluation.

V. Future Analysis

A series of briefings with key policy makers and practitioners in the public and private sectors have taken place over the summer since distribution of the first draft. As a result, additional questions and areas of interest have been identified about both the 2,191 more serious juvenile offenders and the broader court-involved juvenile population. Below is an outline of future analyses that are recommended.

- **Race/ethnicity and relative rate Indices (RRI):** Analysis of the Relative Rate Index as it is used to determine the extent of Disproportionate Minority Contact (DMC) at a decision point in the juvenile justice system. RRI provides a comparison of rates for different racial/ethnic groups. This RRI calculation can be performed for each decision-making point in the juvenile justice system to determine at which points minority juveniles are overrepresented in judicial or non-judicial handling of cases, involvement in detention, and at point of case disposition.
- **Child protection and delinquency:** Data search focusing on the relationship between child protection and delinquency. Significant national attention is being paid to evidence of this relationship. The Justice Education Center will work with DCF to collect data manually to expand the profile of juveniles with a child protection/delinquency history, especially those committed to DCF.¹⁵
- **Detention:** Analysis of those juveniles who are detained — by race/ethnicity, gender, age, and court location. Also a profile of why they were detained, on what charges, and history of their previous involvement with DCF, especially around issues of child protection and FWSN charges. DCF will work with The Center to capture this data on the juveniles in this 2004 study.
- **Relationship between court location and services available:** Assessment of the numbers, availability, and point of access of service slots for juvenile offenders by court location and by gender, in order to explore how court options for referral to services may impact sentencing and transfer decisions. Information concerning available community resources, relative to the volume of cases by town, is being gathered from CSSD, DCF and Juvenile Review Boards.
- **Relationship among court location, demographics and disposition:** More focused look at the demographics of the court catchment areas. Analysis of the demographics of juveniles in discrete districts, compared with the relative percentage of dispositions and commitments from those districts.
- **Towns within court catchment areas:** Comparison of race/ethnicity, gender, prior referrals and severity of present case in the towns within the three major urban courts.

¹⁵ *The Emily J.* Settlement agreement, signed by the Federal Court on July 9, 2005, has encouraged CSSD and DCF to work even more closely together to divert children and youth in detention who are at-risk of residential placement to intensive care services in home and community settings through a “wraparound process” of triage, case review and care coordination, orchestrated through the collaboration of both agencies. *Emily J.* class members are those children who are placed in juvenile pre-trial detention. The *Emily J.* Settlement target population is children who are at-risk of residential placement. The Settlement committed \$6 million to expanded community mental health services for this population over two years.

- **Case review teams:** Review of information about the role of case review teams in the reduction of commitment rates vs. sentencing to probation.
- **Serious juvenile offenders (SJO):** The extent to which juveniles who are referred for SJO offenses receive SJO dispositions — a comparison of those who were sentenced to probation and those who were committed to DCF.
- **Comparison of the JAG score with the probation officer classification:** Review of the frequency and patterns of probation officer classifications that override the findings of the JAG score.
- **Comparative costs of dispositions:** Comparative financial costs of the different dispositions, as an adjunct to the research data.

These analyses will enhance understanding of risks and needs — by gender, race/ethnicity, court location and disposition — and, in turn, help shape policy and program planning, especially as it relates to the CJTS population.

The findings will also supplement and inform two current reports:

- **The Connecticut Juvenile Justice Strategic Plan:** Findings from this report will contribute to the operationalization of the Joint Strategic Plan published by CSSD and DCF juvenile services. This plan focuses on how these two agencies – in tandem with other state agencies, advocates, contractors, parents and communities — can and will collaborate in planning services for this jointly-shared population over the next five years.
- **The Juvenile Justice Advisory Committee Report:** This advisory committee to the Governor has studied adolescents whose cases were handled in adult court and compared them to similar juveniles whose cases have been handled in juvenile court, with outcomes measured by recidivism and new arrests.

VI. Glossary of Terms

Over 14,000 young people in Connecticut were referred to the juvenile court system in 2004. Eighty-one percent (81%) were between 12 and 15 years old. Because no standard nomenclature is used across state agencies to define young people, terms like child, juvenile or youth are often used interchangeably, to confusing effect. The Department of Children and Families, for example, identifies a child, simply, as a person under the age of 16. While the Judicial Branch also defines a child as any person under the age of 16, it also includes persons over the age of 16 who have violated the law before turning 16. The State Department of Education, with respect to truancy, defines a child as any person between the ages of 5 and 18.

For the purpose of this study, the following definitions are being used:

Connecticut Juvenile Training School (CJTS)

The State's most secure correctional facility, owned and maintained by the Department of Children and Families, to house and treat boys who are committed as delinquent after conviction of a crime.

Court Support Services Division (CSSD)

The division of Connecticut's Judicial Branch that administers:

- **Office of Adult Probation**
Conducts presentence investigations ordered by the Superior Court and supervises probationers in all cases except juvenile matters.
- **Office of Alternative Sanctions**
Creates and sustains a full range of alternatives to incarceration for both pre- and post-conviction adult and juvenile populations.
- **Bail Commission**
Interviews and investigates individuals accused of crimes to assist the Superior Court in determining terms and conditions of pretrial release.
- **Family Services Division**
Assists the Superior Court in the resolution of problems and the adjudication of cases involving family relationships, family support, child protection and juvenile delinquency. Among the services provided by the Family Division are: mediation of domestic disputes, evaluation of child custody and visitation conflicts, juvenile probation services, divorce counseling, residential placement, restitution and community services.
- **Division of Juvenile Detention Services**
Provides pretrial secure detention and programming services to juveniles accused of delinquent acts.

Delinquent¹⁶

Delinquent acts are classified as Serious Juvenile Offenses (SJOs) or non-serious juvenile offenses. Not every felony is classified as an SJO. The maximum penalty for a non SJO act is 18 months commitment to DCF. For an SJO it is four years commitment.

The definition of a delinquent act in Connecticut includes offenses that do not fall under the statutory definition of a crime for adult prosecution. C.G.S. 46b-120(11) defines a delinquent act as a violation of any law or local ordinance, so it includes infractions and other municipal laws. For example, a child charged with violating a city curfew (municipal ordinance) faces a maximum penalty of 18 months commitment to CJTS, with the possibility that the commitment can be extended another 18 months. A child charged with breach of peace is subject to the same maximum penalty. A 16 year old charged with the same offense would face a maximum of six months in jail.

Delinquency commitment¹⁷

When a judge decides to commit a child — after trial, contested disposition or by agreement — he or she generally orders the child into a specific placement which most frequently involves CJTS or a private residential facility or group home. However, judges also have the authority simply to commit a child to DCF as a delinquent and make no orders as to placement. Once committed, the decision making power shifts from juvenile court to DCF. In these cases, the Commissioner of DCF decides where to put the juvenile, and can decide to move the child to another facility or to release the child home. Any child placed outside of CJTS, either at a residential facility or at home is on parole.

Given that there are few trials in juvenile court, most juveniles committed to DCF do so as part of an agreement. Boys and girls and their families want to have a voice in where the child is placed, so cases are often resolved with a plea agreement and the family is given some say over where the child goes. Placement in a private residential facility requires that an application be sent to the Central Placement Team at DCF. They conduct a triage and referral process to have the child accepted to a facility. Once children are accepted to a facility, there is often a wait to get in.

Children who are sitting in detention waiting for residential placement often opt to go to CJTS. They know that the time they serve incarcerated in a detention center does not count towards any sentence or commitment imposed by the judge; hence they will choose to go to CJTS so they can start their sentence.

¹⁶ The following are the statutory definitions for delinquent and delinquent act.

C.G.S. Sec. 46b-120 (6). A child may be convicted as “delinquent” who has violated: (A) any federal or state law or municipal or local ordinance, other than an ordinance regulating behavior of a child in a family with service needs, (B) any order of the Superior Court; or (C) conditions of probation as ordered by the court;

C.G.S. Sec. 46b-120 (11) “delinquent act” means the violation of any federal or state law or municipal or local ordinance, other than an ordinance regulating the behavior of a child in a family with service needs, or the violation of any order of the Superior Court

¹⁷ The following are the statutory references for a DCF delinquency commitment:

C.G.S. Sec. 46b-140 If the court further finds that its probation services or other services available to the court are not adequate for such child, the court shall commit such child to the Department of Children and Families in accordance with the provisions of section 46b-141. Prior to making such commitment, the court shall consult with the department to determine the placement which will be in the best interest of such child;

j) Except as otherwise provided in this section, the court may order a child be (1) committed to the Department of Children and Families and be placed directly in a residential facility within this state and under contract with said department, or (2) committed to the Commissioner of Children and Families for placement by the commissioner, in said commissioner’s discretion, (A) with respect to the juvenile offenders determined by the Department of Children and Families to be the highest risk, in the Connecticut Juvenile Training School, if the juvenile offender is a male, or in another state facility, presumptively for a minimum period of twelve months, or (B) in a private residential or day treatment facility within or outside this state, or (C) on parole. The commissioner shall use a risk and needs assessment classification system to ensure that male children who are in the highest risk level will be placed at the Connecticut Juvenile Training School.

Department of Children and Families (DCF)

The State agency responsible for the care and protection of abused, neglected and uncared for children in Connecticut. Responsible for custody of delinquent children committed to their care by the Superior Court and for children committed as Family with Service Needs (FWSNs).

Department of Children and Families (DCF) commitment and**Department of Children and Families (DCF) placement**

A sentence or disposition in juvenile court whereby a child's custody is given to the Department of Children and Families and the child is removed from his or her community (similar to sentencing in the adult court).

Commitment as a delinquent requires that the child be convicted of a crime and that the court find that no less restrictive alternative exists to maintain the child safely in the community. A judge can order that a committed delinquent can be placed in either a residential facility or CJTS or the judge can leave placement up to the Commissioner. Commitments are for up to 18 months for non-serious juvenile offenses and up to four years for serious juvenile offenses (SJO) and can be extended for an additional 18 months at the request of the Commissioner of DCF for good cause after a hearing. Children can also be committed to DCF for 18 months if they are adjudicated as a FWSN but they cannot be sent to CJTS.

Family with Service Needs (FWSNs)

Persons under the age of 16 who have: run away; are beyond the control of their parents; have engaged in indecent or immoral conduct; or have four unexcused absences from school in one month or ten unexcused absences in a school year. Legislation was passed in 2006 (after this study) that decriminalized a violation of a FWSN order.¹⁸

Jurisdiction

Occasionally, a person age 16 or over will come under the jurisdiction of the juvenile court. Juvenile probation can extend past the sixteenth birthday, so a violation of that probation will be prosecuted in juvenile court. A person may be charged with an offense that occurred before he or she turned 16 and appear in court after their birthday. Sometimes, warrants will be issued charging adults with past offenses that occurred while they were juveniles. Not all of these cases will be eligible for transfer, so the defendant will appear in juvenile court.

Juveniles

Any person under the age of 16, or over the age of 16 who violated the law before turning 16.

¹⁸ At the time of this report, children committed as FWSNs faced a maximum of 18 months in a DCF facility (not CJTS) and also faced recommitment for an additional 18 months. In the language of C.G.S.46b-149(h): If the court finds, based on clear and convincing evidence, that the family of a child is a family with service needs, the court may, in addition to issuing any orders under Section 46b-121: (1) refer the child to the Department of Children and Families for any voluntary services provided by said department or, if the family is a family with service needs solely as a result of a finding that a child is a truant or habitual truant, to the authorities of the local or regional school district or private school for services provided by such school district or such school, which services may include summer school, or to community agencies providing child and family services; (2) commit that child to the care and custody of the Commissioner of Children and Families for an indefinite period not to exceed eighteen months:

In C.G.S.46b-149(i): (1) The Commissioner of Children and Families may petition the court for an extension of a commitment under this section on the grounds that an extension would be in the best interest of the child. The court shall give notice to the child and his parent or guardian at least fourteen days prior to the hearing upon that petition. The court may, after hearing and upon finding that such extension is in the best interest of the child, continue the commitment for an additional indefinite period of not more than eighteen months. (2) The Commissioner of Children and Families may at any time petition the court to discharge a child, committed under this section, and any child committed to the commissioner under this section, or the parent or guardian of such child, may at any time but not more often than once every six months petition the court which committed the child to revoke such commitment. The court shall notify the child, his parent or guardian and the commissioner of any petition filed under this subsection, and of the time when a hearing on such petition will be held. Any order of the court made under this subsection shall be deemed a final order for purposes of appeal, except that no bond shall be required nor costs taxed on such appeal.

Probation

Status incurred after an order by a judge of the superior court as part of a sentence after a conviction of a crime in a criminal or delinquency matter. Juvenile Court probation is administered by the Court Support Services Division of the Judicial Branch. Juveniles are supervised by probation officers and are compelled to follow whatever orders are issued by the court. Probation treatment services may address:

- Behavioral impairments and other emotional disturbances and other mental health or psychiatric disorders;
- Histories of physical or sexual abuse;
- Drug and alcohol addiction;
- Health and medical needs;
- Education, special education and related services.

Sentencing

In an adult criminal prosecution, misdemeanors are crimes that carry a maximum sentence of one year or less. Felonies carry maximum sentences of more than a year. Infractions, violations and ordinances are not crimes and are punishable only by a fine.

Juvenile court does not use the felony-misdemeanor distinction in sentencing. This makes comparing sentences and seriousness of offenses in juvenile court and adult court difficult. Delinquent acts are classified as Serious Juvenile Offenses(SJOs) or non-serious juvenile offenses. Not every felony is classified as an SJO. The maximum penalty for a non SJO act is 18 months commitment to DCF. For an SJO it is four years commitment. The definition of a delinquent act in Connecticut includes offenses that do not fall under the statutory definition of a crime for adult prosecution. C.G.S. 46b-120(11) defines a delinquent act as a violation of any law or local ordinance, so it includes infractions and other municipal laws. For example, a child charged with violating a city curfew (municipal ordinance) faces a maximum penalty of 18 months commitment to CJTS, with the possibility that the commitment can be extended another 18 months. A child charged with breach of peace is subject to the same maximum penalty. A sixteen year old charged with the same offense would face a maximum of six months in jail.

Serious Juvenile Offender

A child who has been adjudicated by the juvenile court for a serious juvenile offense.

Serious Juvenile Offense

A violation of any one of several specific grievous criminal actions by a child, including: murder, manslaughter, rape, kidnapping, arson, armed robbery, 1st and 2nd degree assault, and other acts designated in C.G.S. Section 46b-120¹⁹. Commission of one of these offenses at the age of 14 or 15 may mean automatic or discretionary transfer to adult court.

¹⁹ C.G.S. 46b-120(12) "serious juvenile offense" means (A) the violation by a child, including attempt or conspiracy to violate sections 21a-277, 21a-278, 29-33, 29-34, 29-35, 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-70 to 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-101, 53a-102a, 53a-103a, 53a-111 to 53a-113, inclusive, subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of subsection (a) of section 53a-123, 53a-134, 53a-135, 53a-136a, 53a-166, 53a-167c, subsection (a) of section 53a-174, 53a-196a, 53a-211, 53a-212, 53a-216 or 53a-217b, or (B) running away, without just cause, from any secure placement other than home while referred as a delinquent child to the Court Support Services Division or committed as a delinquent child to the Commissioner of Children and Families for a serious juvenile offense;

Superior Court, Criminal Matters (Adult court)

The Criminal Division hears cases where the state is prosecuting a person (the defendant) who is accused of breaking the law. The state is represented by a state's attorney. There are three kinds of criminal cases, depending on the severity of the offense: crimes which include felonies — punishable by prison sentences more than one year — and misdemeanors — punishable by prison sentences of one year or less; violations which include motor vehicle cases punishable by a fine only; and, infractions where a fine may be paid by mail without requiring a court appearance (for example, traffic tickets). All criminal cases but the most serious ones are heard in Geographical Area Courts around the state. Certain serious juvenile cases, by statute, are transferred to Superior Court, Criminal Matters.

Superior Court, Juvenile Matters (Juvenile court)

Juvenile Matters is a special subdivision of Superior Court designed to protect the rights of children, family relationships and confidentiality. There are thirteen Juvenile Courts state-wide. All court documents are confidential and court hearings are closed to the public. All juvenile court cases involve either care of the minor child or the child's behavior. Children are those under 16 years old.

Juvenile matters in the civil session include all proceedings concerning uncared-for, neglected or dependent children and youth within this state, termination of parental rights of children committed to a state agency, matters concerning families with service needs, contested matters involving termination of parental rights or removal of guardian transferred from the Probate Court, the emancipation of minors and youth in crisis.

Juvenile matters in the criminal session include all proceedings concerning delinquent children in the state and persons 16 years of age and older, but who were under the age of 16 at the time the crime was committed, who are under the supervision of a juvenile probation officer while on probation or a suspended commitment to the Department of Children and Families, for purposes of enforcing any court orders entered as part of such probation or suspended commitment.

Youth

Any person age 16 or 17.

Youthful Offender

Youths who have not committed a class A felony or a delineated sex offense and have not previously been convicted of a felony or found to be a serious juvenile offender. The prosecutor can transfer youthful offenders to the regular criminal docket if they are charged with a felony.

VII. Appendix A

Superior Court for Juvenile Matters — Court Locations

Superior Court for Juvenile Matters at Bridgeport

Bridgeport, Easton, Fairfield, Monroe, Shelton, Stratford, Trumbull

Superior Court for Juvenile Matters at Danbury

Bethel, Bridgewater, Brookfield, Danbury, New Fairfield, Newtown, Redding, Ridgefield, Roxbury, Sherman

Superior Court for Juvenile Matters at Hartford

Bloomfield, East Hartford, Glastonbury, Hartford, Newington, West Hartford, Windsor

Superior Court for Juvenile Matters at Middletown

Chester, Clinton, Cromwell, Deep River, Durham, East Haddam, East Hampton, Essex, Haddam, Killingworth, Meriden, Middlefield, Middletown, Old Saybrook, Portland, Westbrook

Superior Court for Juvenile Matters at New Britain

Avon, Berlin, Bristol, Burlington, Canton, East Granby, Farmington, Granby, Hartland, New Britain, Plainville, Rocky Hill, Simsbury, Southington, Wethersfield

Superior Court for Juvenile Matters at New Haven

Bethany, Branford, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Wallingford, West Haven, Woodbridge

Superior Court for Juvenile Matters at Norwalk

Darien, New Canaan, Norwalk, Weston, Westport, Wilton

Superior Court for Juvenile Matters at Rockville

Bolton, East Windsor, Ellington, Enfield, Manchester, Somers, South Windsor, Stafford, Suffield, Tolland, Vernon, Windsor Locks

Superior Court for Juvenile Matters at Stamford

Greenwich, Stamford

Superior Court for Juvenile Matters at Torrington

Barkhamsted, Bethlehem, Canaan, Colebrook, Cornwall, Goshen, Harwinton, Kent, Litchfield, Morris, New Hartford, New Milford, Norfolk, North Canaan, Plymouth, Salisbury, Sharon, Thomaston, Torrington, Warren, Washington, Watertown, Winchester (Winsted), Woodbury.

Superior Court for Juvenile Matters at Waterbury

Ansonia, Beacon Falls, Cheshire, Derby, Middlebury, Naugatuck, Oxford, Prospect, Seymour, Southbury, Waterbury, Wolcott.

Superior Court for Juvenile Matters at Waterford

Bozrah, Colchester, East Lyme, Franklin, Griswold, Groton, Lebanon, Ledyard, Lisbon, Lyme, Montville, New London, North Stonington, Norwich, Old Lyme, Preston, Salem, Sprague, Stonington, Voluntown, Waterford

Superior Court for Juvenile Matters at Willimantic

Andover, Ashford, Brooklyn, Canterbury, Chaplin, Columbia, Coventry, Danielson, Eastford, Hampton, Hebron, Killingly, Mansfield, Marlborough, Plainfield, Pomfret, Putnam, Scotland, Sterling, Thompson, Union, Willimantic, Willington, Windham, Woodstock

Prepared by:
The Justice Education Center, Inc.
62 LaSalle Road, Suite 308
West Hartford, CT 06107
860.231.8180
justiceeducation@aol.com
